THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 22989 of 2007

DATED: 1-11-2007

Between:

S.Nageswara Rao

…Petitioner

and

The Registrar-cum-Public Information Officer,
Andhra University,
Visakhapatnam.

…Respondent

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

W.P.No. 22989 of 2007

Oral order:

The petitioner's grievance is that the respondent who is the Public Information Officer of the Andhra University, Visakhapatnam has failed to furnish the information solicited by the petitioner by the application dated 5-9-2007 (accompanied by payment of the requisite fee), seeking information under the provisions of the Right to Information Act, 2005 (for short 'the Act'). It is the specific grievance of the petitioner that within the 30 days time specified in Section 7 (1) of the Act, the respondent failed to provide the information and without any immunity from such obligation. There is also no communication from the respondent rejecting the petitioner's request for information.

The petitioner has a remedy by way of an appeal to the Central Public Information Officer (the petitioner pleads that the Vice-Chancellor is the appellate authority) against the denial or refusal or inaction in furnishing information under the provisions of the Act. Without pursuing such an appellate remedy, which is a statutory and effective remedy, the petitioner shall not be permitted to file this writ petition. This Court is not inclined to exercise its discretionary power to circumvent a statutory appellate remedy available, which is equally efficacious.

The writ petition is accordingly dismissed with liberty to the petitioner to pursue the appellate remedy under Section 19 of the Act. There shall be no order as to costs.

GODA RAGHURAM, J

1-11-2007
Note:
Issue copy by Monday
/B.O/
GRR